



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYAN HISER, aka Brian Hiser,

Defendant.

2:10-CR-576-KJD (GWF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on August 9, 2011, defendant BRYAN HISER, aka Brian Hiser, pled guilty to Counts One and Two of a Two-Count Superseding Criminal Indictment, charging him in Count One with Felon in Possession of a Firearm and in Count Two with Felon in Possession of a Firearm and Ammunition in violation of Title 18, United States Code, Section 922(g)(1). Docket #22.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between the property set forth in the Forfeiture Allegation of the Superseding Criminal Indictment and the offense to which defendant BRYAN HISER, aka Brian Hiser, pled guilty.

The following assets are subject to forfeiture pursuant to Title 28, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

...

...

- a) Smith & Wesson, .357 caliber revolver, model 66-2, serial number AEU3864;
- b) H & K, .45 caliber revolver, model USP Expert, serial number 25-075220;
- c) two (2) rounds of RP .45 caliber ammunition;
- d) two (2) rounds of Federal .45 caliber ammunition; and
- e) any and all ammunition ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of BRYAN HISER, aka Brian Hiser, in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

...

...

1 MICHAEL A. HUMPHREYS
Assistant United States Attorney
2 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
3 Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
4 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101
5

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
7 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
8 following publication of notice of seizure and intent to administratively forfeit the above-described
9 property.

10 DATED this 9th day of August, 2011.

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13 UNITED STATES DISTRICT JUDGE
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